

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

RACK & BALLAUER EXCAVATING  
CO., INC., *et al.*

Case No. 1:13-cv-030

Plaintiffs,

Judge Timothy S. Black

-vs-

CITY OF CINCINNATI, *et al.*,

Defendants.

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JUDGMENT IN A CIVIL CASE

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☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

**IT IS ORDERED AND ADJUDGED** that the Defendant's Motion to Dismiss (Doc. 12) is **GRANTED**; and the case is **TERMINATED** from the docket of the Court.

Date: July 1, 2013

**JOHN P. HEHMAN, CLERK**

By: s/ M. Rogers  
Deputy Clerk